



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
JASON BROWN et al.,

Plaintiffs,

-against-

THE CITY OF NEW YORK et al.,

Defendants.
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09 Civ. 7455 (RMB) (RLE)

ORDER OF DISCONTINUANCE

Based upon Plaintiffs' failure to prosecute the above-captioned case, i.e., by not submitting jury instructions and a pretrial order prior to the May 10, 2010 deadline set by the Court, it is hereby

ORDERED, that the action be, and the same hereby is, discontinued; provided, however, that Plaintiffs may apply by letter on or before May 26, 2010 (noon) showing good cause why this action should be restored to the calendar of the undersigned.

Dated: New York, New York
May 12, 2010

A handwritten signature in black ink, appearing to read "RMB".

RICHARD M. BERMAN, U.S.D.J.